

## REMARKS

Claims 1-20 are pending in the instant application. Claims 1, 3-6, 8-20 have been rejected by the Examiner. Claims 2 and 7 have been objected to by the Examiner. In the Office Action, the Examiner has not pointed to any cited art references for claims 2 and 7. It is unclear if these claims contain allowable subject matter. Clarification is respectfully requested.

Claims 1-20 have been amended. The Applicants submit that claims 1-20 are in condition for allowance and request reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

### Claim Objections

Claims 1-20 have been objected to due to informalities. The Applicants have amended claims 1-20 as required by the Examiner and submit that claims 1-20 are in proper form.

### Claim Rejections Under 35 USC §102

Claims 1, 3-6 and 8-20 stand rejected under 35 U.S.C. §102(e) as being allegedly anticipated by U.S. Patent Publication No. 2004/0111339 to Wehrung, et al. (hereinafter "Wehrung").

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Moreover, "[t]he identical invention must be shown in as complete detail as is contained in the \* \* \* claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The Applicants traverse the outstanding rejections of claims 1, 3-6, and 8-20 under 35 U.S.C. 102(e) because Wehrung does not teach each and every element of the Applicants' claims.

With respect to claim 1, the Examiner states that Wehrung teaches "upon detecting a state change: converting a signal associated with said state change to a TCP/IP-formatted request," citing Figures 7, 8, and 11, and also paragraph [0179] in support. The Applicants submit that this interpretation of Wehrung is in error. While Wehrung does in fact teach a LAN, it does not necessarily follow that a signal designating a state change is converted to a TCP/IP-formatted

request, as recited in the Applicants' claim 1. Rather, Wehrung discloses a handshake controller (HC) 108f receives "commands which it converts to a proper handshake protocol, depending on whether the transport system is acting in the active or passive role" (paragraph [0179]). The only conversion taught by Wehrung is the conversion of a command to a handshake protocol, not a signal from active/passive equipment to a TCP/IP-formatted request. Thus, Wehrung may not properly be relied upon for teaching "upon detecting a state change: converting a signal associated with said state change to a TCP/IP-formatted request," as recited in claim 1. For at least these reasons, the Applicants submit that claim 1 is not anticipated by Wehrung.

Independent claims 9 and 20 recite substantially similar features as those recited in Applicants' claim 1. For at least the reasons advanced above with respect to claim 1, the Applicants submit that claims 9 and 20 are also patentably distinct from Wehrung. Claims 2-8 depend from what should be an allowable base claim. Claims 10-19 depend from what should be an allowable base claim. For at least these reasons, the Applicants submit that claims 1-20 are in condition for allowance and respectfully request reconsideration and withdrawal of the outstanding rejections.

### CONCLUSION

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is requested. It is submitted that the foregoing amendments and remarks should render the case in condition for allowance.

Accordingly, as the cited reference neither anticipates nor renders obvious that which the Applicants deem to be the invention, it is respectfully requested that claims 1-20 be passed to issue.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 09-0458.

Respectfully submitted,  
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